

Regular Session, 2009

SENATE BILL NO. 4

BY SENATOR AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS. Authorizes the 23rd JDC to transfer all excess funds as of December 31st of each year from the witness fees to off-duty officers fund into the criminal court fund.

AN ACT

To enact R.S. 15:255(M), relative to the special witness fee funds in each of the parishes in the Twenty-Third Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:255(M) is hereby enacted to read as follows:

§255. Witness fees to off-duty law enforcement officers

* * *

M. In the Twenty-Third Judicial District, all surplus monies in the special fund in each of the parishes in that district at the end of each calendar year shall be transmitted by the governing authorities of those parishes to the criminal court fund of the Twenty-Third Judicial District Court. As used in this Subsection, "special fund" means the special fund provided for in Subsection D of this Section, and "surplus monies" means the amount of money which is in each special fund at the end of each calendar year and which is in excess of the total amount paid from each special fund as witness fees for off-duty law

1 **enforcement officers in that calendar year. The surplus monies which are**
2 **required to be transferred by this Subsection shall be transferred no later than**
3 **January thirty-first of each year. The surplus monies which are required to be**
4 **transferred by this Subsection may be used for any purpose for which the other**
5 **monies in the criminal court fund of the Twenty-Third Judicial District Court**
6 **may be used. No money obligated to be paid to any officer or agency for an off-**
7 **duty law enforcement court appearance shall be considered surplus money**
8 **pursuant to this Subsection.**

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michelle Ducharme.

DIGEST

Amedee (SB 4)

Proposed law permits the governing authority in each of the parishes of the 23rd Judicial District Court (district) to annually transfer surplus monies in the special fund of each parish to the criminal court fund of the district.

Present law provides that witness fees shall be paid from costs of court collected in individual cases tried in district or parish courts or in any court to be collected in such cases and shall be collected for each case in which there is a plea of guilty or in which there is a conviction. All of such costs shall be placed in a special fund that shall be maintained and be administered by the governing authority.

Proposed law defines "special fund" as the special fund provided for in present law, and "surplus monies" as the amount of money which is in each special fund at the end of each calendar year and which is in excess of the total amount paid from each special fund as witness fees for off-duty law enforcement officers in that calendar year.

Proposed law requires the money to be transferred no later than January 31st of each year.

Proposed law authorizes the transferred surplus monies to be used for any purpose for which other monies in the criminal court fund of the district may be used.

Proposed law prohibits any money obligated to be paid to any officer or agency for an off-duty law enforcement court appearance from being considered surplus money.

(Adds R.S. 15:255(M))